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15 IN THE UNITED STATES DISTRICT COURT
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17 EASTERN DISTRICT OF CALIFORNIA

18 UNITED STATES OF AMERICA,
19 Plaintiff,
20
21 v.
22 VINCENT PORTER,
23 Defendant.

24 CASE NO. 1:22-CR-00113-JLT-SKO

25 JOINT STATUS REPORT AND STIPULATION
26 REGARDING EXCLUDABLE TIME PERIODS
27 UNDER SPEEDY TRIAL ACT; ORDER

28 DATE: November 2, 2022
TIME: 1:00 p.m.
COURT: Hon. Sheila K. Oberto

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18 This case is set for status conference November 2, 2022. As set forth below, the parties now
19 move, by stipulation, to continue the status conference to November 2, 2022, and to exclude the time
20 period between November 2, 2022 and January 18, 2023 under the Speedy Trial Act.

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22 STIPULATION

23 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
24 through defendant's counsel of record, hereby stipulate as follows:

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26 1. By previous order, this matter was set for status on November 2, 2022.
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28 2. By this stipulation, defendant now moves to continue the status conference until January
18, 2023, and to exclude time between November 2, 2022, and January 18, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
a) The government has represented that the discovery associated with this case is
voluminous and includes many thousands of pages of documents, financial records, witness

1 interviews, investigative reports, and other evidence. This is a large scale financial fraud case.
2 All of this discovery has been either produced directly to counsel and/or made available for
3 inspection and copying.

4 b) Counsel for defendant desires additional time to consult with his/her client,
5 review the charges, conduct investigation and research, review discovery and discuss potential
6 resolution of the case. The COVID-19 Pandemic continues to make certain tasks, such as client
7 meetings, and certain aspects of case investigation more difficult and more time consuming. .

8 c) Counsel for defendant believes that failure to grant the above-requested
9 continuance would deny him/her the reasonable time necessary for effective preparation, taking
10 into account the exercise of due diligence.

11 d) The government does not object to the continuance.

12 e) Based on the above-stated findings, the ends of justice served by continuing the
13 case as requested outweigh the interest of the public and the defendant in a trial within the
14 original date prescribed by the Speedy Trial Act.

15 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
16 et seq., within which trial must commence, the time period of November 2, 2022 to January 18,
17 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
18 T4] because it results from a continuance granted by the Court at defendant's request on the basis
19 of the Court's finding that the ends of justice served by taking such action outweigh the best
20 interest of the public and the defendant in a speedy trial.

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28 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the

1 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
2 must commence.

3 IT IS SO STIPULATED.

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5 Dated: October 21, 2022

6 PHILLIP A. TALBERT
7 United States Attorney

8 /s/ JEFFREY A. SPIVAK
9 JEFFREY A. SPIVAK
10 Assistant United States Attorney

11 Dated: October 21, 2022

12 HEATHER E. WILLIAMS
13 Federal Defender

14 /s/ Christina Corcoran
15 Christina Corcoran
16 Assistant Federal Defender
17 Counsel for Defendant

18 **ORDER**

19 IT IS SO ORDERED.

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21 DATED: 10/24/2022

22 *Sheila K. Oberto*
23 HON. SHEILA K. OBERTO
24 UNITED STATES MAGISTRATE JUDGE